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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00260 JMS
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING TRIAL AND TO
vs.	)	EXCLUDE TIME
	)	
JAMES LOW,	(1)	OLD TRIAL DATE: 02/22/06
		NEW TRIAL DATE: 05/02/06
Defendant.	)	
	)	

STIPULATION AND ORDER  
CONTINUING TRIAL AND TO EXCLUDE TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that the jury trial presently scheduled for February 22, 2006, be continued to May 2, 2006 at 9:00 a.m. before the Honorable J. Michael Seabright. Final Pretrial Conference is set for April 3, 2006 at 10:00 a.m. before Magistrate Judge Kevin S.C. Chang. Defendant's motions are due March 20, 2006, and the Government's responses are due April 3, 2006.

The reason for the continuance is that counsel for the Defendant are newly retained by Defendant and require adequate time to review discovery in this matter as well as to pursue a negotiated disposition of the charges.

Thus, defense counsel have requested the continuance so they may have adequate time to review discovery, confer with their client and exercise due diligence so that they can effectively represent the Defendant. It should be noted that the Government has no objection to the continuance requested by the Defendant.

IT IS FURTHER STIPULATED AND AGREED by and between the parties that the period beginning February 22, 2006, to and including May 2, 2006, be excluded from the computations required by the Speedy Trial Act, Title 18, United States Code, Section 3161. The Court finds that the ends of justice outweigh the best interest of the public and the Defendant in a speedy trial because the continuance allows counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence in accordance with 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS SO STIPULATED.

DATED: Honolulu, Hawaii, January 30, 2006.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Mark A. Inciong  
MARK A. INCIONG  
Assistant U.S. Attorney

/s/ Michael J. Park  
MICHAEL J. PARK, ESQ.  
Attorney for Defendant

JAMES LOW

/s/ Matthew A. Horn  
MATTHEW A. HORN, ESQ.  
Attorney for Defendant  
JAMES LOW

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, February 7, 2006.



*J. Michael Seabright*

J. Michael Seabright  
United States District Judge

United States v. James Low, CR. No. 05-00260 JMS, "Stipulation and Order Continuing Trial and to Exclude Time"